IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 578 OF 2006
IN
CRIMINAL APPEAL NO. 320 OF 2006

1. Imtiyaz Ahamed @ Lakhu
Mohammed Israil Malik
2. Ayas Ahamed @ Pintu
Israil Mailk ..Applicants
(Ori.Accused Nos.2 & 3

versus

State of Maharashtra ..Respondents

Mr. S. V. Marwadi for the Applicants.

Mrs. S. D. Shinde, APP for the Respondents - State.

CORAM : D. G. DESHPANDE, &
S. A. BOBDE,JJ.

DATE : 7TH JUNE, 2006

P.C. :

1. Applicants - Original Accused Nos. 2 and 3 have filed this application in their appeal challenging the judgment of conviction. Their mother has expired and the last rites are to be performed on 9.6.2006, therefore the prayer of the applicants is that they may be permitted to attend the last rites, under police escorts.

2. Applicants are at present in Kolhapur Jail. The learned APP, looking to the prayer, and, the cause, has no objection to allow this application. Therefore, we allow this application. Both the Applicants to be produced and taken by Kolhapur Jail Authorities and permitted to attend under police escort, the last rites on 9.6.2006 in Mumbai from morning till evening, and, then, they be taken back to Kolhapur Jail in the evening. Costs of the escorts shall be borne by the applicants and be deposited in advance. Application disposed of.

3. All concerned parties to act on copy of this order duly authenticated by the Registry.

4. Certified copy expedited.

(D.G. DESHPANDE, J.)

(S.A. BOBDE, J.)